

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: District Attorney SA

BOARD AGENDA # *B-3

Urgent

Routine

AGENDA DATE February 9, 2016

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Accept the Fiscal Year 2015-2016 Grant Award from the California Department of Insurance for the District Attorney's Office Auto Insurance Fraud Program

STAFF RECOMMENDATIONS:

1. Approve the receipt of the grant award from the California Department of Insurance for the District Attorney's Office Automobile Insurance Fraud Program in the amount of \$150,000.
2. Approve a formal resolution as required by the State to receive this grant.
3. Direct the Auditor Controller to decrease estimated revenue \$12,765 and decrease appropriations by \$37,657 as detailed in the Budget Journal form.

FISCAL IMPACT:

Estimated revenues and appropriations of \$200,288 for this grant were projected in the 2015-2016 Fiscal Year Recommended Final Budget. An award amount of \$150,000 was received by the California Department of Insurance (DOI). The award is \$50,288 less than anticipated. Additionally, the California DOI has authorized to roll forward unexpended funds of \$576 from Fiscal Year 2014-2015. The District Attorney's Office also anticipates receipt of prior year revenue of \$36,947 in the 2015-2016 Fiscal Year.

(Continued on page 2)

BOARD ACTION AS FOLLOWS:

No. 2016-76

On motion of Supervisor Withdraw, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withdraw, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST: Christine Ferraro
CHRISTINE FERRARO TALLMAN, Clerk

File No.

FISCAL IMPACT: Continued

The net change will result in a decrease in estimated revenue by \$12,765 and a decrease in appropriations by \$37,657 as detailed in the chart below. No General Match is required to accept the grand award.

As of July 1, 2015, this budget unit had a negative fund balance of \$24,892. With the contribution of \$24,892 to Fund Balance, the Department anticipates ending the 2015-2016 Fiscal Year with zero fund balance.

2015-2016 District Attorney - Auto Insurance Fraud Prosecution Budget	2015-2016 Final Budget	2015-2016 Requested Change	Difference
Grant Award	\$ 200,288	\$ 150,000	\$ (50,288)
Roll Forward Unexpended Funds		\$ 576	\$ 576
Prior Year Revenue		\$ 36,947	\$ 36,947
2015-2016 Revenue	\$ 200,288	\$ 187,523	\$ (12,765)
2015-2016 Appropriations	\$ 200,288	\$ 162,631	\$ (37,657)
Fund Balance	\$ -	\$ 24,892	\$ 24,892

The Auto Insurance Fraud Prosecution budget has two allocated positions; one Criminal Investigator II that is fully funded by this grant and one Paralegal III that is currently vacant due to lack of funding. As in previous years, additional funding has been used to offset the cost of a Deputy District Attorney position in the Criminal Division budget. In Fiscal Year 2014-2015, the amount offset was 42%. It is anticipated with the reduction in grant funding this year, only 5% of the Deputy District Attorney position will be funded from the Auto Insurance Fraud Prosecution budget. The remaining 95% funding for this position is funded in the Criminal Division fund salary allocation. This grant also funds operating expenditures that includes wireless communications, audit expenditures, and training for the Auto Insurance Fraud Prosecution staff.

DISCUSSION:

In Fiscal Year 1996-1997, the District Attorney's Office was awarded funding approved by the Board of Supervisors for the Automobile Insurance Fraud Grant. Each Fiscal Year the Department receives a request for application. This will make Fiscal Year 2015-2016 the nineteenth consecutive year that the District Attorney's Office will have received funding from the California Department of Insurance for the Automobile Insurance Fraud Grant.

The grant award agreement was submitted to the California Department of Insurance the end of November 2015. The Department received notification of funds granted. In order to receive the grant award, the Board of Supervisors must approve the attached resolution.

Insurance fraud affects the citizens of Stanislaus County through increased insurance rates. The District Attorney's Office is committed to the investigation and prosecution of those who commit insurance fraud; the acceptance of the California Department of Insurance's Automobile Insurance Fraud Prosecution grant has allowed this investigation and prosecution to occur.

In Fiscal Year 2015-2016, the objectives of the grant will continue to focus on economic vehicle theft and its relation to auto insurance fraud. The Criminal Investigator will continue to work with the Stanislaus County Auto Theft Task Force.

POLICY ISSUES:

This agenda item is being submitted for Board approval in order to authorize acceptance of the grant. A formal resolution is attached. Acceptance of this grant will assist the District Attorney's Office in continuing to meet the Board of Supervisors goal of A Safe Community by investigating and prosecuting those who commit auto insurance fraud.

STAFFING IMPACTS:

The grant funds 100% of an Investigator and 5% of a Deputy District Attorney. These staffing levels are able to sustain the reporting requirements of the grant.

CONTACT:

Dave Harris, Assistant District Attorney (209) 525-5550

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: February 9, 2016

No. 2016-76

On motion of Supervisor Withrow Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

Item # *B-3

THE FOLLOWING RESOLUTION WAS ADOPTED:

RESOLUTION
STANISLAUS COUNTY BOARD OF SUPERVISORS
FY 2015-2016 AUTOMOBILE INSURANCE FRAUD PROGRAM

WHEREAS, the Stanislaus County Board of Supervisors desires to continue a certain project designated AUTOMOBILE INSURANCE FRAUD PROGRAM to be funded from funds made available through the CALIFORNIA INSURANCE CODE Section 1872.8, California Code of Regulations Subchapter 9, Article 4, Section 2698.65, administered by the DEPARTMENT OF INSURANCE (hereafter referred to as DOI).

NOW, THEREFORE, BE IT RESOLVED that the District Attorney of Stanislaus County is hereby authorized on its behalf to accept this grant award from DOI.

IT IS AGREED that any liability arising out of the performance of these Grant Award Agreements, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and the DOI disclaim responsibility for any such liability.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California

